

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: TUNNA et al.  
 Serial No.: 10/578,546  
 Filed: May 5, 2006  
 International Application No. PCT/GB04/04660  
 I.A. Filing Date: November 4, 2004  
 Docket No.: M04B100

Title: IMPROVEMENTS IN DRY PUMPS

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence and every writing referred to herein as being enclosed is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 5, 2007.  
 (Date)

Betty Lee

Printed name of person signing this certificate

Betty Lee

Signature of person mailing

**RESPONSE TO THE NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Dear Sir:

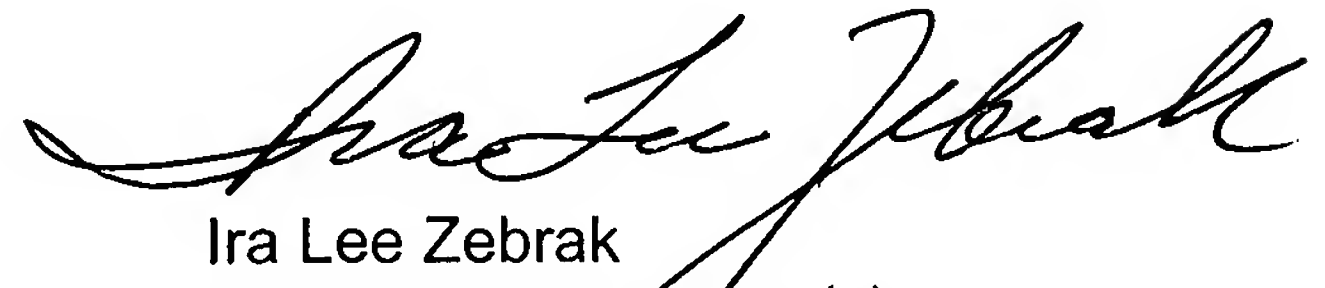
In response to the Notification Of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US) (copy enclosed) mailed January 4, 2007, Applicants submit the enclosed Declaration executed by Clive Marcus Lloyd Tunna and Mark Edward Tomkins on September 4, 2006, and September 6, 2006. The Commissioner is hereby authorized to charge to Deposit Account No. 02-2865, the \$130.00 fee required under 37 CFR 1.492(h).

Inventor Allan Edmiston McDiarmid did not sign the declaration. Enclosed is a Petition for Filing Under 37 C.F.R. §1.47(a), Petition Fee Under 37 C.F.R. 1.17(f), (g) & (h) Transmittal, and a Statement of Facts in Support of Filing on Behalf of Nonsigning Inventor (37 C.F.R. § 1.47).

The Commissioner is requested to grant any necessary extension of time and is authorized to charge any additional fee, if required, to our Deposit Account No. 02-2865. This request is submitted **in triplicate**.

Respectfully submitted,

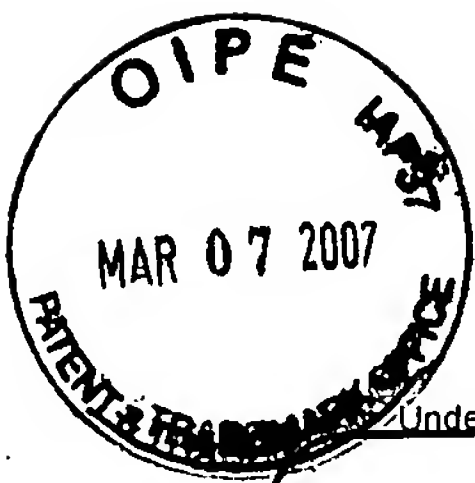
Date: March 5, 2007  
The BOC Group, Inc.  
Legal Services - Intellectual Property  
575 Mountain Ave.  
Murray Hill, NJ 07974

  
Ira Lee Zebrak  
Attorney for Applicant(s)  
Reg. No. 31,147  
(908) 771-6469

**CUSTOMER NO.: 020411**

Attachments: Original Declaration  
Notification Of Missing Requirements  
Petition for Filing Under 37 C.F.R. §1.47(a)  
Petition Fee Under 37 C.F.R. 1.17(f), (g) & (h) Transmittal  
Statement of Facts in Support of Filing on Behalf of Nonsigning Inventor  
(37 C.F.R. § 1.47)

ILZ:bjl



PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/578,546
Filing Date	May 5, 2006
First Named Inventor	TUNNA et al.
Art Unit	
Examiner Name	
Attorney Docket Number	M04B100

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Statement of Facts in Support of Filing on Behalf of Nonsigning Inventor (37 CFR § 1.47); Petition Fee Transmittal; Notification of Missing Parts Requirements Under 35 USC 371 in the US Designated/Elected Office (DO/EO/US); CONTINUED BELOW ...
<b>Remarks</b> OTHER ENCLOSURES CONTINUED: Declaration of Clive Marcus Lloyd Tunna and Mark Edward Tomkins; Power of Attorney and Correspondence Address Indication Form signed by Clive Marcus Lloyd Tunna; Power of Attorney and Correspondence Address Indication Form signed by Mark Edward Tomkins; photocopy of August 24, 2006 letter (w/enclosures) mailed to Mr. Allan Edmiston McDiarmid; Memo to File of Case No. M04B100 dated September 19, 2006		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	The BOC Group, Inc.		
Signature			
Printed name	IRA LEE ZEBRAK		
Date	March 5, 2007	Reg. No.	31,147

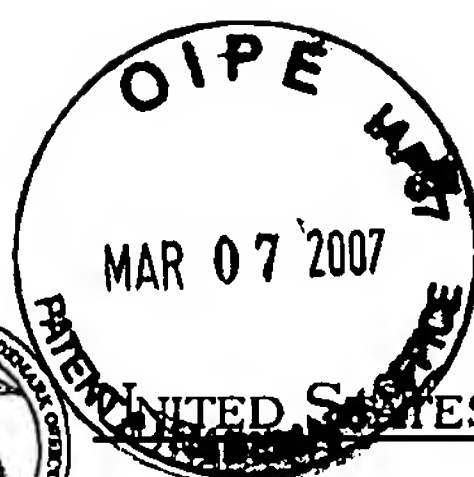
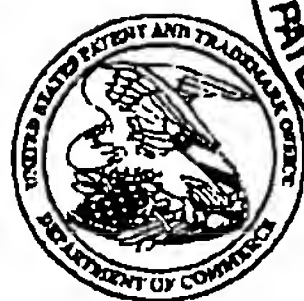
### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Betty Lee	Date	March 5, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/578,546	Clive Marcus Lloyd Tunna	M04B100

INTERNATIONAL APPLICATION NO.

PCT/GB04/04660

I.A. FILING DATE

PRIORITY DATE

11/04/2004

11/10/2003

20411

THE BOC GROUP, INC.  
 575 MOUNTAIN AVENUE  
 MURRAY HILL, NJ 07974-2064

RECEIVED

JAN 10 2007  
 Intellectual Property Dept  
 KSB

CONFIRMATION NO. 9468

371 FORMALITIES LETTER



\*OC000000021813222\*

Date Mailed: 01/04/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/05/2006
- Copy of the International Search Report filed on 05/05/2006
- Preliminary Amendments filed on 05/05/2006
- Information Disclosure Statements filed on 05/05/2006
- U.S. Basic National Fees filed on 05/05/2006
- Priority Documents filed on 05/05/2006
- Specification filed on 05/05/2006
- Claims filed on 05/05/2006
- Abstracts filed on 05/05/2006
- Drawings filed on 05/05/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/578,546	PCT/GB04/04660	M04B100